

UNITED STATES DISTRICT COURT
for the
District of South Carolina
Charleston Division

Ebonie Ervin

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

) Case No. 2:24-CV-7020-RMG-MGB
) *(to be filled in by the Clerk's Office)*

) Jury Trial: (check one) Yes No

Dorchester School District 4

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

2024 DEC-4 PM 12:27
U.S. DISTRICT COURT
CLERK'S OFFICE
BERKELEY, SOUTH CAROLINA

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Ebonie Ervin

1050 Old Gilliard Rd., Apt 613

Ridgeville, Berkeley

SC 29472

843-735-9261

ebonie.ervin@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (*if known*)Dorchester School District 4500 Ridge St.St. George, DorchesterSC 29477843-563-4535

Defendant No. 2

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (*if known*)

Defendant No. 3

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (*if known*)

Defendant No. 4

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (*if known*)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

Federal question

Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title III of the Civil Rights Act of 1964
and Americans with Disabilities Act (ADA)

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name), is a citizen of the
State of (name).

b. If the plaintiff is a corporation

The plaintiff, (name), is incorporated
under the laws of the State of (name),
and has its principal place of business in the State of (name)
(name).

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name), is a citizen of
the State of (name). Or is a citizen of
(foreign nation).

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See attachment - Case is a result of an

EOC Right to Sue

#415-2024-00533 (Attached)

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I am owed back Pay ~~of all~~ for salary discrepancies for several years, I leave days that should be added at the start of the school year (even August) have been ~~denied~~ not been provided to me for 4 years in a row, I did not receive any of my bonuses during the 2022-2023 school year, and I lost several insurance policies when the district refused to transfer them. I am requesting \$48,483.00.

III. Statement of Claim

- Falsified pay scale for the 2022–2023 school year with the state of SC after I pointed out discrepancies in my pay.
- Refused to transfer insurances or allow me to sign up for the districts insurances causing loss of intermittent short term disability. During the hiring process Rivers advised me I would attend a new hire meeting to fill out paper work for insurances, badge, etc... When the meeting never occurred I spoke with
- Systematically deducting leave time from my pay when I was not absent. And refusing to give me 1.33 days per month as policy dictates. I have been shorted 2 days each school year.
- Withheld all of my bonuses for 2022–2023 school year (not referring to webmaster, new hire or relocation). This is just a general bonus approved by the board.
- Sanders offered afterschool director position to 2 white teachers (Hartzog and Rosenthal) without the stipulation that they had to apply. When I expressed interest I was told I would have to submit an application. An application was not even available until a later date.
- For the 2022–2023 summer school program I was not paid for a full day and I had to interview when others who were offered the position were not interviewed.
- Last but not least, Sanders has taken away most of my responsibilities and had others perform them to take away from my contributions to the school, such as teaching research, word of the week, library scheduling, etc...

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/2/24

Signature of Plaintiff


Ebonie Ervin

Printed Name of Plaintiff

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address